







## UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NUMBER

FILING/RECEIPT DATE

FIRST NAMED APPLICANT

ATTORNEY DOCKET NUMBER

09/819,126

03/27/2001

James H. Errico

KLR:7146.107

**CONFIRMATION NO. 3921** 

**FORMALITIES LETTER** 

OC000000006055606\*

Kevin L. Russell Chemoff, Vilhauer, McClung & Stenzel, LLP **Suite 1600** 601 S.W. Second Avenue Portland, OR 97204

Date Mailed: 05/09/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

## Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

A copy of this notice MUST be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

07/16/2001 JADD01

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130.00 OP

## FEE TRANSMITTAL for FY 2001 Patent fees are subject to annual revision.

|   | Complete If Known    |                 |            |  |  |  |  |  |
|---|----------------------|-----------------|------------|--|--|--|--|--|
|   | Application Number   | 09/819,126      |            |  |  |  |  |  |
|   | Filing Date          | March 27, 2001  |            |  |  |  |  |  |
|   | First Named Inventor | James H. Errico |            |  |  |  |  |  |
|   | Examiner Name        |                 |            |  |  |  |  |  |
|   | Group/ Art Unit      |                 | · <u> </u> |  |  |  |  |  |
| _ | Attamas Daglest No.  | VID 7146 107    |            |  |  |  |  |  |

|   |                |             |                     |                            |   | Group/ Art Onit         |           |                  |                   |                                    |   |              |           |
|---|----------------|-------------|---------------------|----------------------------|---|-------------------------|-----------|------------------|-------------------|------------------------------------|---|--------------|-----------|
| TOTAL AMOUNT OF PAYMENT \$130   |                |             |                     |                            |   | Attorney Docket No. KLR |           |                  | KLR 7146.10       | LR 7146.107                        |   |              |           |
| METHOD OF PAYMENT (check one)   |                |             |                     |                            | FEE CALCULATION (continued)               |                         |           |                  |                   |                                    |   |              |           |
|   |                |             |                     |                            | 3. AD                                     | 3. ADDITIONAL FEES      |           |                  |                   |                                    |   |              |           |
| The Commissioner is hereby authorized to charge the indicated fees and credit any over payments to: |                |             |                     |                            | Large                                     | Entity                  | Small     | Entity           |                   |                                    |   |              |           |
| Deposit Account 03-1550   |                |             |                     | Fee                        | Fee                                       | Fee                     | Fee       | Fee              | Description       |                                    |   | Fee Paid     |           |
| Number  |                |             |                     |                            | Code                                      | (\$)                    | Code      | (\$)             |                   | •                                  |   |              |           |
| Deposit Account Name Chemoff Vilhauer McClung & Stenzel   |                |             |                     |                            | ]   |                         |           |                  |                   |                                    |   |              |           |
| Charge any additional fee required under 37 CFR 1.16 &  |                |             |                     |                            | 105                                       | 130                     | 205       | 65               | Surc              | charge - late filir                | ng fee or oath                          |              | \$130     |
| 1.17  |                |             |                     |                            |   |                         |           |                  |                   |                                    |   |              |           |
| Payment Enclosed  |                |             |                     |                            | 127                                       | 50                      | 227       | 25               | Sur               |                                    | risional filing fee                     | or cover     |           |
| ☐ Check ☐ Credit Card ☐ Money Order ☐ Other   |                |             | 139                 | 130                        | 139                                       | 130                     |           | -English specifi | cation            |                                    |   |              |           |
|   |                |             | 147                 | 2,520                      | 147                                       |                         |           |                  | for reexamination | າກ                                 | $\vdash$                                |              |           |
| FEE CALCULATION   |                |             |                     | 112                        | 920*                                      | 112                     |           |                  | • '               | tion of SIR prior                  |   | <b></b>      |           |
| 1. BASIC FI   |                |             | CALCODATION         |                            | ┨''゚                                      | 320                     | 712       | 320              | actio             |                                    | don or one phor                         | to Examine:  |           |
| Large Entity  |                | titv        |                     |                            | 113                                       | 1840*                   | 113       | 1840*            | Rea               | uesting publicat                   | tion of SIR after                       | Examiner     | $\vdash$  |
| 3   |                |             |                     |                            | 1   |                         |           |                  | actio             |                                    | · <del></del>                           |              |           |
| Fee Fee   |                | Fee         |                     |                            | 115                                       | 110                     | 215       | 55               | Exte              | ension for reply                   | within first mont                       | jh .         |           |
| Cod (\$)<br>e   | Code           | (\$)        | Fee Descriptio      | n Fee Paid                 | 116                                       | 390                     | 216       | 195              | Exte              | ension for reply                   | within second m                         | nonth        |           |
| 101 710   | 201            | 355         | Utility filing fee  |                            | 117                                       | 890                     | 217       | 445              | Exte              | ension for reply                   | within third mon                        | ith          |           |
| 106 320   | 206            | 160         | Design filing fe    | e                          | 118                                       | 1,390                   | 218       | 695              | Exte              | ension for reply                   | within fourth mo                        | onth         |           |
| 107 490   | 207            | 245         | Plant filing fee    |                            | 128                                       | 1,890                   | 228       | 945              | Exte              | ension for reply                   | within fifth mont                       | ħ            |           |
| 108 710   | 208            | 355         | Reissue filing f    | fee                        | 119                                       | 310                     | 219       | 155              | Noti              | ce of Appeal                       |   |              |           |
| 114 150   | 214            | 75          | Provisional filir   | ng fee                     | 120                                       | 310                     | 220       | 155              | Filin             | g a brief in supp                  | port of an appea                        | ıl .         |           |
|   |                |             | SUBTO               | OTAL (1) \$0               | 121                                       | 270                     | 221       |                  | •                 | uest for oral hea                  | -                                       |              |           |
| 2. EXTRA CLAIM FEES   |                |             |                     | 138                        | 1,510                                     | 138                     |           |                  |                   | institute a public use proceeding  |   |              |           |
|   |                |             | Extra Claims        | Fee from Fee<br>below Paid | 140                                       | 110                     | 240       |                  |                   | tion to revive - u                 |   |              | <u> </u>  |
| T-4-1 01-1  | _              | _           |                     | $\overline{}$              | 141                                       | 1,240                   |           |                  |                   | tion to revive - u                 |   |              | <b>——</b> |
| Total Claims -20 = x  |                |             |                     | 142                        | 1,240<br>440                              | 242<br>243              |           |                  | -                 | issue fee (or reissue)             |   |              |           |
| Indep. Claims 3 =x =<br>Multiple Dependent =  |                |             |                     | 144                        | 600                                       | 244                     |           |                  | -                 | ssue fee                           |   |              |           |
| , ,   |                | v pa        | id, if greater. For | reissues, see              | 122                                       | 130                     | 122       |                  |                   | ons to the Commissioner            |   |              | -         |
| below.  | , <b>p</b> . 5 | , ,         | , <b>3</b>          |                            | 123                                       | 50                      | 123       |                  |                   |                                    | ons related to provisional applications |              |           |
| Large Entity  | Small E        | ntity       | ,                   |                            | 126                                       | 240                     | 126       |                  |                   | mission of Information Disclosure  |   |              | $\Box$    |
| ,   |                | •           |                     |                            |   |                         |           |                  | Stat              | ement                              |   |              |           |
| Fee Fee<br>Cod (\$)   | Fee<br>Code    | Fee<br>(\$) | Fee Descriptio      | n                          | 581                                       | 40                      | 581       | 40               |                   | ording each pat<br>es number of pr | ent assignment operties)                | per property |           |
| e<br>103 18   | 203            | 9           | Claims in exce      | ess of 20                  | 146                                       | 710                     | 246       | 355              | Filin             | g a submission                     | after final reject                      | tion         |           |
| 102 80  | 202            | 40          |                     | laims in excess of 3       | '   |                         |           | 555              |                   | C.F.R. 1.129(a)                    |   |              |           |
| 104 270   |                | 135         | •                   | dent claim, if not         | 149                                       | 710                     | 249       | 355              |                   | each additional<br>C.F.R. 1.129(b) | invention to be                         | examined     |           |
| 109 80  | 209            | 40          | •                   | ependent claims<br>atent   | 169                                       | 900                     | 169       | 900              | Req               | • •                                | ted Examination                         | of a Design  |           |
| 110 18  | 210            | 9           |                     | ns in excess of 20         | Other                                     | (specify)               | )         |                  |                   |                                    |   |              |           |
|   |                |             | SUBTO               | TAL (2) \$0                | * Redu                                    | ced by                  | Basic F   | Filing Fe        | e Pa              | id                                 | SUBTOT                                  | AL (3)       | \$130     |
| SUBMITTED BY '  |                |             |                     |                            |   | Comple                  | te (if ar | plicable         | e)                |                                    |   |              |           |
| Name (print type)   |                |             |                     |                            |   | <del></del>             |           | <u>-</u>         | _                 | 38,292                             | Telephone                               | (503) 22     | 7-5631    |
| Kevin L. Russell  |                |             |                     |                            | Registration No. 38,292   Telephone   (50 |                         |           | (333) 22         | . 555.            |                                    |   |              |           |
| Signature   | <del> ,</del>  |             |                     | 1611                       | 2   |                         |           |                  |                   | <u> </u>                           | Date                                    | July 9, 200  | 1         |

| JCP    | **   |              |   |     |   | Jech # |  |  |
|--------|--|--------------|---|-----|---|--------|--|--|
| Q      | TRANSMITTAL FORM  PATENT TO be used for all correspondence after initial filing) |              | Application Number 09/                                      |     | 19,126  | 7 #L   |  |  |
| - 36   |  |              | Filing Date Ma  |     | ch 27, 2001   | 1 "~   |  |  |
| 1 111  |  |              |   |     | es H. Ęrrico  | 1      |  |  |
| PATENT |  |              |   |     | ,   | 1      |  |  |
| ALC    |  |              |   |     |   | 1      |  |  |
|        | Total Number of Pages in this Submission   | 7            | Attorney Docket Number                                      | KLF | R 7146.107  |        |  |  |
|        | ENCLOSURES (check all that apply)  |              |   |     |   |        |  |  |
|        | ☑ Fee transmittal □  |              | Assignment Papers (for an pplication)                       |     | After Allowance Communication to Group                            |        |  |  |
|        | ☐ Amendment ☐ After Final/ Response  |              | Drawing(s)  |     | ☐ Appeal Communication to Board of Appeals and Interferences      | 1      |  |  |
| •      | ☑ Affidavits/Declaration(s)  |              | Licensing Related Papers                                    |     | Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) |        |  |  |
| ٠      | ☐ Extension of Time Request  |              | Petition Routing Slip (PTO/SB/69) and Accompanying Petition | )   | ☐ Proprietary Information   |        |  |  |
|        | ☐ Express Abandonment Request  | 1—           | Petition to Convert to a Provision                          | nal | ☐ Status Letter   |        |  |  |
|        | ☐Information Disclosure Statement  | ×            | Power of Attorney,  |     | Additional Enclosures (identify below)                            | -      |  |  |
|        | ☐ Certified copy of Priority   | $I \sqcap I$ | Terminal Disclaimer   | Ī   | Our check in the amount of \$130                                  |        |  |  |

|  | Application   |  |              |  |  |  |  |
|--|---|--|--------------|--|--|--|--|
| ☐ Information Disclosure Statement   | ☑ Power of Attorney,  | Additional Enclosures (identify below)                 |              |  |  |  |  |
| ☐ Certified copy of Priority Documents   | ☐ Terminal Disclaimer   | Our check in the amount of \$130 Confirmation postcard |              |  |  |  |  |
| Response to Missing Parts/ Incomplete Application  | Small Entity Statement  |  |              |  |  |  |  |
| ☑ Response to Missing Parts  | ☐ Request for Refund  |  |              |  |  |  |  |
| Under 37 CFR 1.52 or 1.53  | Remarks:  |  |              |  |  |  |  |
| SIGNAT   | THE OF ADDITIONS ATTORNE  | V OB   | ACENT        |  |  |  |  |
| SIGNAT   | URE OF APPLICANT, ATTORNE                                       | TUR  | AGENT        |  |  |  |  |
| Firm or Individual Name  | Kevin L. Russell, of Chernoff, Vilhauer, McClung & Stenzel, LLP |  |              |  |  |  |  |
| Signature  |   |  |              |  |  |  |  |
| Date   | July 9, 2001  | July 9, 2001   |              |  |  |  |  |
|  | CERTIFICATE OF MAILING  |  | <u>.</u>     |  |  |  |  |
| I hereby certify that, on the date shown below, this correspondence is being deposited with the United States Postal Service in an envelope addressed to: Box Missing Parts, Commissioner for Patents, Washington, D.C., 20231  with sufficient postage as first class mail  as "Express Mail Post Office to Addressee" - mailing label no |   |  |              |  |  |  |  |
| Type or print name Kevin L. Russell  |   |  |              |  |  |  |  |
| Signature  | 1/2   | Date   | July 9, 2001 |  |  |  |  |
| U  |   |  |              |  |  |  |  |